

The Land We Love.

The Land We Love for December is up to its usual high standard.

The leading article by Dr. Dabney, "The Duty of the Hour," is a manly protest against sacrificing principles to expediency. The defence of Best Butler is novel and entertaining. The Letters from Mount Vernon will be read with interest by all who revere the name of Washington. Ten-feather is a spicy burlesque of would-be poets and authors. St. Louis, Missouri, a valuable article, full of important statistics. The fiction, poetry and humor in this number compare favorably with the preceding numbers.

The Raleigh Sentinel.

It is editorially announced in the *Sentinel* that its present proprietor, Rev. Wm. E. Peltz, has disposed of the paper to the Hon. JOSHUA TURNER, Jr., who will take charge of it on the 1st of December.

We part from Mr. Peltz with regret. Under his Editorial management, aided by the fertile pen of Major Gales, the *Sentinel* has done most invaluable service in the political contests of North Carolina since the close of the war. The bitter denunciations and attacks which have been directed against the *Sentinel* by every Radical politician and Editor, is the surest evidence of the estimate placed upon its usefulness to its party, and its extended circulation, and the great influence it wields is the best proof of the ability and judgment with which it has been edited.

We welcome the new Editor into the brotherhood. If there is one man more than another the Radicals have cause to dread it is "Jon Turner." With tongue or pen he has shown himself an adversary to be feared. We take it that he will not be awkward in ferreting out political corruptions and frauds at the State Capital, or slow to publish them.

We hope to see our friend and co-laborer, Major Gales, retained in his old relations to the *Sentinel*. We are sure all the readers of the paper would regret, as we would, his retirement.

The Vote of Soldiers.

There has been an interesting and important contested election question just settled in the Supreme Court of the District of Columbia, in which the decision turned upon the right of soldiers to vote in the precincts in which they are temporarily stationed. In view of the fact that both here and in Raleigh officers and soldiers of the regular army and the Freedmen's Bureau registered and voted, the question is an interesting one to us. The action in Washington and in North Carolina shows the difference of Radical decisions when soldiers vote with them and against them. Surely there is a difference as to whose ox is gored.

It appears that the Democratic candidate for Assessor was elected by a twenty-four majority, but the count said appeared from incontrovertible proofs, that eighty-five soldiers were registered and voted, where they voted than the stay of a soldier under the command of a superior. All but one voted for the successful candidate. This military vote was in part and as a whole a flagrant fraud upon the citizens of the ward, and of the city of Washington, made up, as it was, from the ballots of men who never had a legal residence in the city or in a ward, and who, by reason of their military occupation, could not acquire such residence. The opinion was concurred in by three of the four Radical Judges who compose the Bench—to wit: Judges Carter, Fisher and Wiley.

Soldiers, yes, and officers too, have done this same thing in North Carolina, men who are here to enforce the laws and compel obedience to, and respect for, the Government. Fit representatives, truly, of a power which regards neither the rights of individuals or the sacredness of laws. Men who act so as to lose their own self-respect, can hardly impress others with regard for those whose representatives they are.

The Legislature.

We direct the attention of our readers to the proceedings of the Legislature to-day's paper. They will be found of more than ordinary interest.

The repeal of the Stay Law, as recommended by Governor Holden, seems to have received its quietus in the House by a most decided vote. One thing is remarkable that, with but one or two exceptions, the negroes of the body voted in favor of the repeal. We should like to be able to give the personal status of the others.

Interesting matters were developed in the debate upon Col. Sinclair's resolution to pay certain Trustees of the University *per diem* and mileage while attending meetings of the Board. Those patriots have destroyed this, the noblest institution of the State, and their apparent concern over its wasted usefulness is but empty and costly mockery. If the State feels able to educate young men free of expense, "without regard to race, color or former condition," then can the University be rebuilt and made the expensive nursery of radical politicians, but as a self-supporting institution, under the auspices of the State, it is gone forever.

The most important feature of the proceedings is the debate upon the eligibility of Maj. Avery, the Senator elect from the Burke District, resulting in his seat being declared vacant. Party trickery and depravity were never so glaringly displayed. The debate and the illegal action evinces that these partisans have a wholesome fear of the talented young Senator. As evidence of the total incapacity of the negro as a legislator, the position taken by Galloway, from this county, shows. Galloway is one of the most, if not the most, intelligent colored member of the Legislature. Yet he acknowledges, while acting under a solemn oath, and as the representative of the people of New Hanover county and of North Carolina, upon a question affecting not only the sacred rights of an individual, and the rights of the citizens of Burke,

Caldwell and Watanga, but also settling the construction of a grave constitutional question, that his vote is the result of personal prejudice. Others doubtless acted under similar influences, and we may respect the honesty of the confession, while we deplore the evil association and wicked spirit which prompted it, and mourn over the sad condition of public morals which tolerates it.

Surely party feelings are running wild when men and constituencies are shamefully, wilfully and disgracefully deprived of their rights in a mere wanton spirit of personal and political prejudice. When men are declared ineligible to office, and counties are deprived of their representatives upon no shadow of legal authority, but by the power of an irresponsible and vindictive majority, it is the very essence of tyranny, and in its worst and most objectionable form. The Constitution, the very instrument intended to protect helpless minorities from the illegal assumptions of power on the part of majorities, has been converted into the convenient tool to aid in their oppression. Unlimited power in the hands of one branch of the Government, and its withdrawal from the others, has been the death of the Constitution, as it will prove the ruin of the country.

Rebel Outrages.

It is a little remarkable, and would be amusing if it were not so serious a matter, that Northern papers and politicians differ so much about the condition of the people of the South. Some, with a paltry affectation of honesty, now that the object of manufacturing "rebel outrages" has been accomplished, profess to be "delighted at the news we now receive from the Southern States." They assume that the election of GRANT works like a charm in the South. No more murders, no further squabbles between whites and blacks, but peace on all sides and good will between all factions and races. Even the terrible members of the Ku Klux Klan and oppressed and despoiled carpet-baggers embrace each other in friendship. These Southern lions and Northern lambs proceeded immediately after the 3d of November to lie down together. The history of mankind does not furnish such an example of sudden change as has come over the Southern people since the election.

To be sure it requires a robustness of faith, indeed, to believe the full extent to which this change is said to have gone, but not more, however, than to have swallowed in the accounts of all the terrible and wanton cruelties and outrages perpetrated by Southern "rebels" upon "loyal" whites and blacks. Indeed, it is remarkable to what an extent well-meaning, but verdant, people at the North have been deceived into a belief of Southern cruelty and disloyalty by prejudiced and incendiary correspondents and newspaper scribblers—a cheap political way to supply the Radical demand for outrages up to the day of the election. Says the *Louisville Courier-Journal*:

"This whole outrage business shows more clearly than anything else the capacity for gullibility of the people of this miserably misgoverned country. It does seem passing strange that a lot of improbable exaggerations and falsehoods should be swallowed whole by millions of people who are generally considered pretty smart and shrewd in other things. There is no public in the world as easily mismanaged as the American. Public opinion now-a-days is as much an article of manufacture as shoe-pigeon, and the public mind can almost be educated through the press into a state of absolute dependence for its opinions upon the politicians and newspaper scribblers. There are thousands of well-meaning, good-hearted people at the North who actually believe what they are told in the Radical papers about the 'heart-rending' outrages of English rebels upon aged and helpless Union men."

Still other papers, with an eye to the future, unwilling yet to cast aside a device which has served them so well in the past, continue to manufacture these "rebel outrages" with all the zest of the earlier days of the canvass. Congress is to be coqueted with a fresh invoice of them, and the supply will be sufficient to warrant that body to reconstruct reconstruction, as some of the Southern States have not yet been made to bow down to the idol of Radicalism. The New York *Tribune* vibrates between peace and war, as it suits the humor of the grim Philosopher, who presides over its columns. But the Washington *Chronicle* is true to its instincts, and the sum and substance of its editorials is "Democratic violence in the South." According to the voracious Forney, "there is no improvement in the rebel sentiment," and the dire vengeance of Congress is threatened upon our disloyal heads. He says:

"In all the remaining States—Virginia, Tennessee, Arkansas, Alabama, Georgia, Texas, Louisiana, Mississippi, Florida—the spirit of rebellion is so rampant that Congress must take steps to secure the lives of the Union men."

What is singular, that during the whole time the Northern people have been led to think that crime has been so rampant in the South, every official who has been sent from the North to govern us, or to report upon our real condition, concerns in the opinion of our peacefulness and honest intentions towards the Government, as well as our regard for the laws set over us. General Grant so testified after traveling extensively through the South. General SHERMAN and FILLMORE concurred in this opinion. More recently Mr. ADAMS, of Massachusetts, added his testimony to these distinguished officers. General SICKLES, in his Raleigh and Chapel Hill speeches, made the same statement. Generals CANNY and MEADE frequently corroborated these statements.

And what is said of us now, by those who, by the power of the bayonet, rule over us—men who have no claims upon our sympathies, and certainly have but little sympathy for us? Governor Holden says in his recent message:

"The people of the State have reconstructed their government on the basis of the equal rights of all. The State is quiet and tranquil. There is no ground for apprehending that secession will again be attempted, and that the peace of the country will be disturbed."

This is all we could expect from one who gives the lie to his own declaration by providing arms for fear the peace of the country may be disturbed. But we must not expect too much of Holden. His life is but repeated contradictions, and it is natural that they should creep into his State papers.

Governor Scott, of South Carolina, is still more explicit in regard to the condition of affairs in that State, and also says a just compliment to the people of North

Carolina, for which, in view of the contradiction between the acts and words of "our" Governor, we thank him. Says the New York *Times*:

"Gov. Scott, of South Carolina, was in this city a day or two ago on business connected with the reconstruction of the Palmetto State. He expressed the condition of affairs in South Carolina at this time as very promising. The State is profoundly peaceful, and it appears to divide the credit with North Carolina of being the most orderly of all the Southern States. The people are becoming more and more satisfied with the new condition of things."

In reply to the blatant falsehoods of Forney in regard to "Unreconstructed Virginia," we have the direct denial of General SHERMAN in his recent report upon the condition of affairs in that State:

"To the respect of the people, both white and black, for the laws, and their innate love of justice, is due the quiet and good order in the South in the midst of Commonwealth of Virginia."

Sadly, we doubt not, will be the testimony in regard to the rest of the Southern States. The fact is, except where vicious adventurers have exerted a bad influence over the ignorant and prejudiced negroes, there never has been, since the day of the surrender to the present moment, a country freer from lawlessness or where the rights of person or property were more sacredly respected than by these same rebel citizens of the South.

Bishop Atkinson.

We are requested to announce that Rt. Rev. THOMAS ATKINSON, Bishop of the Diocese, will (D. V.) visit the Parish at Clinton on Sunday, November 29th, and the congregation at Ken nsville on Tuesday, December 1st.

Young America.

This favorite juvenile periodical enters upon its third year greatly enlarged and improved. It is decidedly the most varied, and, in many respects, the best of all the juveniles, and well repays the investment for the small sum required for its possession. A diagram containing a full-sized pattern for cutting out the body of a Christmas doll is one of the attractions of the present number, which is, otherwise, full of good things. Subscribe for your boys and girls, \$1.50 per annum with a premium. Publication Office, 473 Broadway, New York.

A MODEL OFFICIAL AND A MODEL OFFICIAL. The official acts of our Radical Reconstruction Sheriff have, in many instances, called forth some remark, but scarcely ever surprise. Whatever, though, his former acts may have been, a little official trick, recently practiced, outdoes them all. The facts we have upon the authority of Mr. D. E. Bunting.

It seems that this worthy Reconstruction Sheriff of ours was paying a visit last week to one of Holden's pets, on Long Creek. A member of his family there falling sick, and being unable to obtain a supply of milk, which, it seems, was much needed, he besought himself of a little plan whereby he could secure the article quite cheaply. The plantation of Mr. Bunting was near by, and this gentleman, being in arrears for taxes due since October 1st, to the amount of a few dollars, his plantation was forthwith visited, under the guidance of a negro deputy, and a fine milk cow and calf levied upon. This was driven to the house where our Sheriff was visiting, and the needed supply of milk obtained, which may be continued even yet, as the cow is still held in custody. No notice of sale has yet been given. Mr. Bunting holds claims against the county, which are receivable for taxes, to a much greater amount than the taxes due, and says he would willingly have settled if he had been notified. A failure to settle has been due to a simple neglect which we are all likely to fall into.

THE WORLD OF FASHION.—Style is everything and fashion will ever be the rage. To pander to the popular tastes, and to manipulate with a view to this end, falls manie within our line, and, as the ladies have the first and foremost claims, it is well now and then to insert, for their benefit, a fashion paragraph something like the following:

"The style of the fall tail suit more to a revival of the costumes of the reigns of Louis Quatorze and Louis Quinze. Broadway, we are told, is thronged with troops who look as if they had stepped from the canvas of Watteau and Verelst. The paniers are now firmly established in its reign. Some tapers topped at the side are still to be seen, but most are now in the hands of the ornamented in the back with a large bow and such ends. The hats and bonnets, still more the trappings of the fashion of the day, are of a 'couronne,' composed of innumerable bands and puffs. From this, when in fall dress, curls are permitted to fall long and heavy on the neck, light and tendril-like upon the forehead. Scarves are smaller than ever. Little trimming is seen around the waist, even in the richest suits. All is trimmed with the ribbon of the shoulder, a puff around the armlet, giving a military air, is quite popular. Walking suits are not quite so short as they have been wont, but still the skirt is at least two inches. Hosiery, dinner and evening dresses show an increase in the length of the train, but are not any longer in front or at the sides."

Episcopal Convention of the Eastern Shore.—Election of a Bishop.

The clergy and laity of the Protestant Episcopal Church of the Eastern Shore of Maryland, assembled in convention, in Christ Church, in Easton, on Thursday last, by calling Rev. Dr. Koenig, temporarily, to the chair. After the organization was completed, Rev. Mr. Crookshank was made permanent president, and Rev. Dr. Bryan secretary. The Eastern Gazette says:

Much interest is felt in the proceedings of the convention, as its business is of a very important character. A new diocese is to be formed, a bishop to be elected, and his residence to be decided upon. On Thursday a vote was taken upon the name of the diocese, when it was declared unanimously to be called the "Eastern Diocese."

We learn that Easton has subscribed fourteen thousand dollars as a portion of the forty thousand dollars for the bishop's salary, which exceeds that of any other section. This, the name of the diocese, and all, go to show a very strong probability that Easton will be the bishop's residence. On Friday afternoon five votes were taken, four by the clergy and one by the laity. The result was, the clergy elected Bishop Lay, of Arkansas, by a majority of fourteen, over the Rev. Mr. Pinkney. The laity then took a vote and rejected the selection of the clergy.

The convention adjourned until six o'clock P. M. (Signed) William Scott, Secy.

On the assembling of the convention at Easton, Col. Seymour, of the United States Army, was present, and was taken with the following result: Clergy, fourteen majority for Lay; laity, twenty majority for Lay. He was declared Bishop of Eastern Diocese.

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LEGISLATURE OF NORTH CAROLINA.

SENATE.

THURSDAY, NOV. 19, 1868.

INTERSESSION OF BILLS.

By Mr. WYNN: A bill to separate the Eastern and Western divisions of the Wilmington, Charlotte and Rutherford Railroad, and the Eastern division to terminate at Charlotte, and all former appropriations to be transferred to said division. The Western division to extend to the Tennessee sea line, and to be known as the Chimney Rock and Broad River Railroad; and providing for \$2,000,000 appropriation for this division. Referred to the Committee on Internal Improvements.

By Mr. WELCH: A bill to allow Administrators and Executors to sell for cash. Referred to the Committee on the Judiciary.

By Mr. BROGDEN: A resolution instructing the State Librarian to purchase certain books for the State Library. Lies over until the rules.

By Mr. ROBBINS: A resolution, making a change in the rules, authorizing the President to refer all bills and resolutions to appropriate Committees, unless otherwise ordered. Adopted.

By Mr. JONES: A resolution in favor of Quentin Busbee, late Treasurer of the Sinking Fund. Referred to the Committee on Finance.

By Mr. BARROW: A resolution declaring vacant the seat of A. C. Avery, Senator elect from the 11th District.

This motion, referred to the further consideration of this resolution was postponed until the 10th of December, by the following vote:

AYES—Messrs. Beasley, Beaman, Brogden, Eaves, Epps, colored, Haynes, colored, Jones, of Wake, Lassiter, colored, Love, colored, Moore, of Vance, McLaughlin, Purdie, Rich, Respass, Robbins, Shoffner, Smith, Wynne, Winston and Williams—22.

NAYS—Messrs. Barrow, Bellamy, Brogden, Byrnes, Bythe, Colgrove, Cook, Davis, Etheridge, Foraker, Hayes, Moore, of Carteret, Stephens, Welker and White—12.

Mr. Moore, of Carteret, called for the report from the Committee appointed to locate the Penitentiary. He desired to know something about the purchase of a large amount of lands, to secure homesteads for convicts.

On motion of Mr. Lassiter, the consideration of the matter was postponed until to-morrow.

CALENDAR.

The Bill to allow Attorneys, who have license to practice in Courts of Pleas and Quarter Sessions, to practice in the Superior and Supreme Courts, was referred to the Committee on the Judiciary.

The Bill providing for the collection of taxes in the County of Carteret, for the year 1868, was referred to the Committee on Finance.

A message was received from the House, transmitting the enrolled resolution in favor of Sheriffs, which was ratified by the President of the Senate.

On motion of Moore, the Senate adjourned until to-morrow, 11 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, NOV. 19, 1868.

The Chair, in accordance with the motion of Mr. French, adopted on yesterday, raising a committee on counties and townships, appointed Messrs. White, of the 1st Judicial District; Jarvis, of the 2d; Smith, of Wayne, of the 3d; French, of the 4th; Williams, of Harnett, of the 5th; Hixson, of the 6th; Carey, colored, of the 7th; McCanness, of the 8th; Grier, of the 9th; Gilbert, of the 10th; Carson, of the 11th, and Hixson, of the 12th. Mr. French, as the mover, to be chairman.

Messrs. Malone, Sinclair, Leary, colored, and French were added to the Committee on the Judiciary; and Mr. Seymour to the committee on Finance.

A message was received from the Senate notifying the House of the passage of the resolution in regard to the mileage of Sheriffs.

By Mr. Sinclair: A resolution paying to Trustees of the University, who were members of the Legislature, the same *per diem* and mileage as members, while here performing duties connected with that Institution.

Mr. Sinclair said, in support of his resolution, that some of the Trustees were very poor men, and could not afford to travel and maintain themselves here at their own expense. Some of them had been forced to return home on account of their poverty.

The resolution lies over under the rule.

Mr. Smith, of Martin, gave notice that he would, on to-morrow, introduce a resolution in regard to the stay law.

Mr. Welch offered the following resolution:

WHEREAS a motion was offered on yesterday by a young member of this House, that the committee on counties and townships be instructed to inquire whether there were not members here who were disqualified by the 14th Article of the Constitution, and if so, to report thereon; and whereas it is said that there are members occupying seats in this assembly who are not citizens of the State;

Resolved, That the said committee be further requested and instructed to enquire whether there are not members here who are disqualified by the 14th Article of the Constitution, and if so, to report thereon; and whereas it is said that there are members occupying seats in this assembly who are not citizens of the State;

Mr. Seymour said that, simply on account of his phraseology he would move to lay it on the table.

Mr. Sinclair could not see the necessity of such motion. He thought the Republican party strong enough to protect itself, and he was willing that the resolution should go to the committee.

Mr. Seymour replied that he would support any resolution properly and correctly drawn, to inquire into the qualifications of any body, but the preamble of this had nothing to do with the object ostensibly sought after. It was simply intended as a slur.

Mr. Gall called for a reading of the resolution.

Mr. Seymour withdrew for a moment or two, in motion to table.

The resolution was again read, when Mr. Seymour renewed his motion and it was declared carried by a vote of 23 in the affirmative to 26 in the negative; when

Mr. Welch said that while his knowledge of parliamentary usage was very limited, he must say the impression had prevailed with him, that the vote of a quorum, at least, was necessary in the determination of all resolutions and bills here. He saw that a quorum did not vote to lay this resolution upon the table. In answer to the remarks of the gentleman who opposed the resolution.

Mr. Seymour arose to a point of order, saying the matter had been declared settled, and, therefore, Mr. Welch was out of order.

The Chair replied that he took the remarks of the gentleman from Haywood, in the light of an explanation.

Mr. Seymour replied that he did not see how they could be so construed.

Mr. Welch replied that if the gentleman would have patience, he would endeavor to enlighten him. Mr. W. continued: I can inform the gentleman that I was influenced in the introduction of the resolution by the purest motives. I came into this House with Conservative views and principles, representing the interests of the people, not only of Western North Carolina, but, I hope, the interests of the people of the entire State. It gave me pain to see, in the resolution of yesterday, a spirit of proscription.

It looks too much as if a mere party spirit had been allowed to prevail. It is so difficult to stand in the House—so difficult is it to get a quorum, that it is time that passions and prejudices should die away and conciliation and good feelings should mark our

deliberations. But if a portion of us are to be so scrupulously measured, by the rule and square of the 14th article, in order to purge this House, I think it equally important that others should be measured by the laws of the State controlling citizenship.

Why are not these men here? I am responsible for the resolution, and mean just exactly what I say.

Mr. French said that if they were in that accord to the general government, which they should be, we must act up to the requirements of the Acts of Congress. He simply offered the resolution to purge the House of those members laboring under disabilities imposed by acts of Congress. He would support any resolution properly drawn up looking to an investigation of the qualifications of any member, and would support this resolution if the preamble were stricken out.

Mr. Welch: It seems, er, we are both working for the same end—er, we are taking different roads to reach it. I would have no objection to striking out the preamble.

[Here the Speaker announced that the discussion had taken up enough time, and the matter was dropped.]

By Mr. French: A couple of bills—er, directing the Attorney General to enquire into the qualifications of persons holding office; the other providing for the maintaining of public roads. Both were referred to the appropriate committees.

By the same: A bill authorizing the County Commissioners of New Hanover to issue bonds in sums not exceeding \$100 each, payable in the future, not exceeding three years hence, and not bearing above 8 per cent interest. Referred.

By B. W. Morris, colored: A bill to grant a charter for a Ferry on Neuse River. Referred.

By Mr. French: A bill to amend the charter of the City of Wilmington. Referred.

SPECIAL ORDER.

On motion of Mr. Bowman the special order (his resolution of yesterday) was taken up.

Mr. Hodnett said that, as to the propriety of passing this section at first, he had nothing to say. But now he was opposed to the resolution, and if passed, repealing the provisions of the 14th article of the Constitution, concerning surveys, &c. In many counties the work of the survey and maps had been completed; in others almost completed, and in a great many, already begun. Now, some counties have been to some extent obliged to complete the work, and if you pass this measure, other counties will reap the benefit and pay nothing for it. But there is another view of the matter. It cannot be disguised that there are many of our people in the Middle and Eastern portions of our State emigrating. Therefore, I wish to have accurate and complete maps of all the Western counties, that, in case our white people of the East should be driven from their homes, they might see the advantage of removing to the Western counties, and not altogether abandon our good old State. His county had completed their map (here he exhibited it), and he expected to have one also for a survey, and other counties could operate on the same plan. These maps would be of great service to induce people of other States to come amongst us. All the advantages are marked out, the school districts, water courses and powers were shown, and all information concerning the county could be furnished any one visiting the State, without trouble or loss of time. Now that this work was almost completed, in a great many counties, he doubted the policy of abandoning it. But if the House decides upon that course of action, he would offer the following proviso:

Provided, That in those counties where surveys and maps have been made, the County Commissioners are required to have payment made for the same.

Mr. Justice, of Rutherford, was in favor of the resolution. No survey or map was required in his county.

Mr. Bowman took the floor and proceeded to reply to Mr. Hodnett, and, in the course of his remarks, made various objections to the proviso.

Mr. Hodnett said his proviso was misapprehended. It was merely to provide that the Commissioners should be required to pay for the work already done, in case this resolution was adopted. But as he had understood that would be done in any case, he withdrew the proviso.

Messrs. Ingram, Leary, (colored,) and Vest opposed the resolution.

Mr. Bowman did not think the expense in his county would exceed \$100, and he was also opposed to the passage of the resolution.

Mr. Sinclair said that if this system of expenditure was continued, he could assure gentlemen that their majorities in the next election would be further reduced. It was a matter of dollars and cents, and the people would not be slow to cast up the account. He knew that was the hardest thing they had to get against in the last election. Mr. S. continued to offer objections to the measure—the chief argument being the enormous taxation it would entail upon the people of the State. It would cost his county \$600 or \$700.

Mr. Bowman again took the floor in explanation of his resolution. He said that his position had been misunderstood. He wished to repeal so much of the law as makes it incumbent on the County Commissioners to have the said maps and surveys. It would cost his county at least \$600, and he would not be so easily beguiled. Now as to whether or not other counties should have them, why that could be left to their option.

Mr. Seymour entered into an explanation of the law, the pith of the argument being that the law was merely a restriction upon the matter, was merely a restriction of the provisions of the Constitution. He would support the resolution, if there was incorporated a proviso in it, that would prevent it from forbidding any future surveys and maps, which the Commissioners might deem it necessary to have made.

Mr. Pox then offered the following:

Provided, That nothing in this act shall be so construed as to forbid actual surveys and maps to be made in counties, when the Commissioners shall continue to make such surveys and maps.

Which was adopted, and the resolution, as amended, then passed its second reading.

Mr. French moved that 10 o'clock A. M. be hereafter the hour of assembling. Carried.

Mr. Justice wished to know if there was anything upon the Calendar that could properly come before the House to-morrow.

The Chair replied that there was nothing. The House then adjourned until to-morrow morning, 10 o'clock.

SENATE.

FRIDAY, NOV. 20, 1868.

Mr. Graham presented the credentials of Jas. G. Scott, Senator elect from the 12th District.

On motion, his credentials were referred to the Committee on Privileges and Elections.

Mr. Long moved a reconsideration of the vote by which the time was extended to consider Mr. Avery's Senator elect from the 11th District) eligibility to his seat until the 10th of December.

Mr. Respass moved to lay that motion on the table; which did not prevail—yeas 12, nays 26, as follows:

AYES—Messrs. Beasley, Beaman, Brogden, Eaves, Epps, colored, Haynes, colored, Jones, of Wake, Lassiter, colored, Love, colored, Moore, of Vance, McLaughlin, Purdie, Rich, Respass, Winston, Wilton.

NAYS—Messrs. Barrow, Bellamy, Brogden, Byrnes, Bythe, Colgrove, Cook, Davis, Etheridge, Epps, colored, Foraker, Hayes, Hayes, colored, Moore, of Carteret, Smith, Stephens, Welker, White and Williams—26.

Governor's Message.
We give up much of our space to-day to the Message of Governor HODGES. As faithful chroniclers of events, its great length cannot deter us from giving to the public the State papers of our Executive office, whatever may be its character. We have not the space to comment on this document, and we suppose all of our readers will avail themselves of the opportunity to read it. As the Message of the Governor of the State, it behooves us to give it that attention it merits, as questions of great State interests are discussed and some specific measures recommended. We may refer to them more in detail.

The Legislature.
A quorum of the Senate appeared in their seats on Tuesday. The credentials of Messrs. Avery, Graham, Oates and Stevens were presented and referred to the Committee on Privileges and Elections. Subsequently the committee reported recommending that Messrs. Graham and Stevens be permitted to take their seats. Having examined Mr. Avery, they find that he was a Solicitor before and during the war, but had not taken an oath to support the Constitution of the United States, and that Mr. Oates was Sheriff before the war. The committee submitted the question of their eligibility to the Senate. No action was taken beyond the qualifying of Messrs. Graham and Stevens. The Governor's message was read and twenty copies for each member were ordered to be printed. Senate adjourned.

In the House, after reading the Governor's message, a resolution paying Sheriff's ten cents mileage while traveling to make election returns was debated and passed. The House adjourned.

No More Rations.
In the district of which Washington city is the centre, it has been announced that no more government rations are to be served out to negroes who have been fed since the war. It is reported that there are ten thousand of the "wards of the government" in the Metropolis who would have starved if they had not been fed by the Bureau.

Just so. The services of the poor negroes will not be again required until 1872. In the meantime let them retire to the country, hire themselves to their former masters, eschew the city vagabond life they have been leading, acquire habits of economy, lay by their small earnings, and in 1872 they may have learned who are really their best friends.

What Next?

With the supposed conservative feelings of General Grant, and the fact that, with those disfranchised, a majority of the white people of the United States voted against him, we have reason to expect that his administration will be marked by moderation and justice to all sections and to all parties. Yet we have cause to fear that other councils will prevail. Already we see the beginning of a bitter strife between the two divisions of the Republican party for the control of the policy of the incoming administration, and we believe that the Radical wing will fortify themselves by forcibly making a two-thirds majority in the House of Representatives, even if they do not require pledges from General Grant in advance of the meeting of the Electoral Colleges in the several States in December. By throwing out a few Democrats from Pennsylvania, Ohio and Indiana, whose seats are contested, and by refusing to admit the Democratic members from the Southern States, the work is done, and as supreme control over the President elect is secured as they now have over Mr. Johnson. And the disposition already evinced to do this very thing is the best evidence that the ultra men do not feel secure of the support of General Grant to their wild schemes of Radical reform in national politics.

But still it will not do to despise the ravings of such men as WENDELL PHILLIPS and General BUTLER. They are representative men and have most powerful support in able journals and among the masses of the people. These men and those they represent are determined to get control of General Grant's Administration and work it, or break with it and oppose it. As an agitator and fomenter of hatred BUTLER has been most successful, and has met with the most flattering endorsement, although opposed by the ablest and most influential portion of his party at home. He proposes to fill the place of THAD. STEVENS, and by continued agitation force the incoming administration to adopt or oppose his measures, which he believes, in either event, will make him master of the situation.

WENDELL PHILLIPS is more explicit in his declarations. He demands that reconstruction shall be reconstructed. The Constitution must be amended in order to bestow on negroes the right of suffrage and the power to hold office in every State; the confiscation of Southern lands for division among the blacks, and the arming of the Southern negroes and "loyal" whites to support these measures and themselves in these possessions. In a word, he desires no peace until such antagonism is forced between the races in this section that one or the other will be exterminated.

We suppose something of the future policy of the successful party will be foreshadowed in the legislation during the second session of the Fortieth Congress, which soon meets, and in the personnel of Grant's Cabinet. These are matters of the first importance to the Southern people, but one over which they have no control, and we fear their interest, as we know their feelings, will not be consulted. If they are not altogether sacrificed we should be content. We should be patient lookers on, anxious for our country's welfare, and interested for our own. Our support or opposition is of no consequence, and either may be hurtful.

As this new warfare progresses it must

necessarily awaken a lively and anxious interest among our people. However we may feel or act, Southern reconstruction, with a view to the future well of the Republic, and without regard either to Southern interests or the welfare of the whole country, will be the apple of discord, and may yet prove the fatal rock upon which their party will be dashed to pieces. Congress will soon meet, and the beginning of the end will appear.

The Result.
Our table to-day contains the complete official vote of the State, with the exception of Yancey county. It will be seen that the Radical majority is twelve thousand four hundred and seventy-six, which will be reduced about two hundred by Yancey. It will be seen that the gallant DURHAM is elected by eighteen majority. Doubtless much fraud was practiced to defeat him, and more will yet be attempted to deprive him of his seat, and may possibly succeed, but the strength of Radicalism is broken in our Western counties. In the future it will be a Democratic stronghold.

The result in the State has disappointed us. We hoped for success. We shall examine the vote more in detail hereafter. There are important lessons to be learned from these figures, and we trust our people will be benefited by them.

Code of Civil Procedure.
From the following letter from the Salisbury Old North State, it will be seen that it is proposed to hold a meeting of the Bench and Bar of the State, at Raleigh, for the purpose of a full interchange of opinions as to what changes are necessary in our Code. The letter emanates from a distinguished Republican officer under the Government, and cannot be viewed as a party movement.

We trust that something will be done in this matter. That change is necessary no lawyer or intelligent gentleman in the State will deny, and we know of no better plan than the one proposed. This is a matter above party, affecting all. And since the people of North Carolina have decided to give the present system of laws a fair trial, let them be perfected as far as the legal ability of the State can do so.

We hope, therefore, there will be a large attendance of the lawyers present on the occasion, and that something will be done to reform some of the crying evils of our present Code.

The letter is as follows:
Editor of the Old North State:
By our constitution the distinction between law and equity have been abolished, and there can only be one form of action for all suits, and three Commissioners were appointed to report, rules of practice and procedure to the General Assembly in lieu of our former practice.

These gentlemen as a generous criticism of their labor from the Legislature, and also from the profession, which they say they will regard as a "kindly spirit, and every effort directed in an effort to make the code a more just and equitable one. In pursuance of our constitution many important changes have been made by our commissioners, and the whole of the code has been revised through your paper, that the Judges of the Supreme and Superior Courts of the State, together with the whole legal profession, meet in Raleigh, on Wednesday the 10th day of December next (the Legislature then being in session) and that they, together with our Commissioners, interchange opinions as to what changes should be made in our laws. In this way, I take it, great benefit can be done our whole people. Let all attend for the accomplishment of good and memorialize the Legislature if necessary.

ONE OF THE PROTESTORS.
From the National Intelligencer.
Agitation by Carpet-Bagger.
The New York Tribune seems to have been sated with carpet-bag agitations to the sickening point. We copy:

"We have been asked to publish a call for a national convention of Union men, to meet in Washington city, December 9, thenland there to consider what legislative or other action is needed to change the policy of the Government, and to lay out the line of the rebel States."

"We decline to print the call, because it is not responsibly signed, and because we must not such a convention of Union men, to meet in Washington city, December 9, thenland there to consider what legislative or other action is needed to change the policy of the Government, and to lay out the line of the rebel States."

This is not a bad sign, coming from the quarter it does. We believe it may be truthfully asserted that no one thing has contributed more to the public disturbances and individual outrages in the South than the carpet-bag gentry. There may be exceptions, but, as a general rule, they are a set of people very little calculated to do good. They came South for the purpose of fomenting discord among the races, and they have very diligently pursued their undertaking. The editor of the Tribune may well imagine how much bad blood such men could stir up, and how much mischief of various sorts they could do. If he would render a real service to peace and good order in the South, he could not, in a small way, more effectively achieve it than by calling home these pests. General Grant's prestige, or even a very large standing army, might fail on occasions to save these characters in remote districts from being very summarily dealt with.

We suppose the Tribune knows the sort of characters we refer to. We do not mean Northern men who come South to settle, to make their homes here, to share our prosperity and adversity, and who will feel and take an interest in promoting the common welfare. Such men are desirable acquisitions, and will be welcome. But the mere political adventurers who come for office, to be obtained by exciting bad feelings between blacks and whites; who have nothing, and intend to create nothing by honest industry, we trust even the editor of the Tribune will excuse us for not loving and embracing them.

Negro Women Voting in Mobile.
A letter from Mobile, Ala., dated November 13th, says:
The election passed off quietly here. A number of negro women were registered and voted. They were dressed up in men's clothing, and were found out after the election was over. They all voted the Radical ticket.

A curious Enoch Arden case is reported in Ireland. A woman, married ten years ago, was shortly afterward forsaken by her husband, who emigrated to America. At the end of nine years she married again, the second husband, like the first, belonging to the laboring class. Soon after this the return of the first husband was reported; whereupon the woman, who had kept the fact of her first marriage a profound secret, immediately disappeared, and the most diligent search by both husbands has failed to discover her retreat.

FAYETTEVILLE CORRESPONDENCE.

Delta and the Eagle-Tellurian Bond.
Judge Baxton-Superior Court-Bishop Gibbons-Fayetteville and the Synod-Rev. H. G. Hill-Commercial Matters.

Dear Journalist:In my last I stated, in effect, that "notice had been served upon the proprietors of the Fayetteville 'Eagle' that a suit would be entered against them for libel and defamation of the character of Judge H. P. Baxton." As, upon inquiry, my information was received from two of the proprietors of the Eagle, given, both times, before several persons, I had no hesitation in furnishing the statement, and an item of news, to your columns. I said nothing about an official notification; and for this misconstruction of my mention of the supposed suit, and also for the change in the grammatical arrangement of my sentence alluding to it, the Eagle of the 10th inst. (which contains a denial of the fact) is responsible—I am not. I did not wish to create a false impression, but certainly, in journalism, the names of papers and the papers themselves are as suitable subjects for criticism and the portrayal of the pen as the names and acts of private individuals—which latter are by no means spared. The statement which I made I have every good reason to believe to have been true. Whether the suit will really be brought or not, of course, I have no means of knowing, and in that, of course, I have no interest whatever.

The bond of J. C. Colahan has at length been accepted by the Board of County Commissioners, and he is now regularly installed as Clerk of the Superior Court of Cumberland. His bondsman are T. A. Hendricks, J. R. Lee, and the irrepressible, boundlessly philanthropic and generous Oliver H. Dockery. Previous examination decided emphatically against the financial validity of the first and last of these names, when affixed to any paper of importance; and should the necessity hereafter arise for a demand by the law upon the securities of this Clerk's bond, it is not believed that even the second bondsman, J. R. Lee, would be found possessed of the wherewithal to satisfy any considerable claim.

Judge Baxton, at the opening of Court on Monday, addressed the bar (and whoever else may have been at that time in the Court-room) in a few remarks explanatory of his action with regard to the appointment of the Clerk elect. He stated that he felt it proper to do so, as he was before men among whom all his life had been passed, and who could claim the right to know the motives of his actions. He stated that his last appointment—before the acceptance of the bond—was in effect an extension, which extension he had a right to make, and which Colahan deserved, as a Clerk elected by a majority of the people, and as showing proof that, if allowed time, he could offer a sufficient bond. He also pointed to the fact that the law avoided forfeiture and that equity abhorred it. I have been thus particular in detailing the Judge's explanation of his position, for the reason that the matter has been very generally commented upon in this section of the State, and has formed the occasion for much feeling and controversy. And as I, in my correspondence, have not hesitated to condemn Judge Baxton's course very strongly, it is proper that the Journal should publish by the same pen an unprejudiced statement of the justification. My own opinion here is unnecessary; the affair is at last ended, and nothing can be gained by longer agitating it.

Superior Court opened on Monday, and will continue two weeks. It was not at first thought that there would be a Fall term, but the Clerk having qualified, the business could be carried on. The State docket will consume the whole of this week, leaving the civil docket for the next. I see here several members of the Wilmington bar, gentlemen of well known ability and legal reputation.

Last week a Catholic Bishop visited Fayetteville, and for the first time in many months the Roman Catholics of this town, of which there are only a small number, had an opportunity of worshipping God according to the observances of their own faith. Large numbers of every denomination attended the services on Thursday evening, and Bishop Gibbons' sermon, a doctrinal one, showed considerable ability. He is the youngest Bishop in the United States, being, to judge from his outward appearance, not more than thirty years of age. He will now be stationed here, and I predict that the Catholic Church will increase its membership even in this place.

A good many Fayetteville Presbyterians will be in your city this week, in attendance on Synod. In your walks in the street, wherever they may be seen, you may put her down as from Fayetteville, and on encountering any particularly ugly men you may make the same shrewd guess as to their abiding place. If you wish to hear a sermon which will well repay you by its logical force and rhetorical finish, go to hear the Rev. Dr. Hamner, now one of the Presbyterians of the Church of this town. He has a high reputation both as an orator and close reasoner.

I can hardly form a reasonable or correct opinion upon trade in Fayetteville so far. The amount of cotton brought to market to date has fallen considerably below the expectation of buyers. In fact, I believe that the cotton crop will fall very far below the general estimate; in this section it has been very good, but perhaps not so in other parts of the State. But it is certain that the business appearance of Fayetteville has recently greatly improved. It has many handsome stores, containing a large amount of fine goods. Produce is abundant and prices are declining a little. The market is daily supplied with very fine beef.

Hard Headed Old Democrat.
A few nights since a small party were assembled in Judge Grant's parlor, among them Mr. Dent, his father-in-law, who lives in Missouri. Some one asked him how Missouri had voted. The old man said: "She gives Grant ten thousand majority, but I'll be d—d if he got my vote!" The General himself roared with laughter at the reply. Mr. Dent is justly proud of his Democracy.—Exchange.

Nominations in New York.
The Democratic Union City Convention of New York has nominated for mayor the Hon. John Kelly, ex-Sheriff and ex-Congressman, and for corporation counsel, Abraham R. Lawrence, Jr., a distinguished member of the New York bar. Both gentlemen were brought before the convention and accepted the nominations. A. Oakley Hall, Esq., is spoken of as the Tammany nominee for mayor.

A duel with cork bullets took place on an island in the James River the other day.

Presbyterian Synod.

THURSDAY MORNING, NOV. 19.
The Synod was called to order at 10 o'clock by the Moderator, Rev. D. D. McBride, and opened with prayer.

After roll call the minutes of the session the night previous were read and adopted with a few corrections.
The excuses of absentees from the last Synod were heard.
Excuses in writing from those not in attendance on this session were received and acted upon.

Statistical reports of the several Presbyteries were called for and presented.
Narratives of the state of religion of the several Presbyteries were also submitted and successively accepted and referred to the Committee on Narratives, except that of the Fayetteville Presbytery, which was referred to the Committee to prepare a pastoral letter to the several Churches.

The following Committees were then announced by the Moderator:
On Bills and Overtures—Rev. A. Currie, Rev. H. A. Monroe, Rev. J. R. Bump and Elders, D. McKinnon and J. D. Neal.
On the Minutes of Concord Presbytery—Rev. J. H. Coble, Rev. C. Shaw and Elder A. Baker.
On the Minutes of the General Assembly—Rev. H. L. Singleton, Rev. D. E. Jordan and Elder N. McKinnon.

On the Minutes of Fayetteville Presbytery.—Rev. E. H. Harding, Rev. P. H. Johnston and Elder Geo. W. Wharton.

To Prepare an Address to the Churches on the State of Religion in the Synod.—Rev. A. Miller, D. D., Rev. Jesse Rankin and Elder D. F. Morrow.

On the Minutes of the General Assembly.—Rev. H. L. Singleton, Rev. D. E. Jordan and Elder N. McKinnon.

On the Minutes of the General Assembly.—Rev. H. L. Singleton, Rev. D. E. Jordan and Elder N. McKinnon.

The reading of the report of the Board of Directors of Union Theological Seminary of Virginia was called for and proceeded with.

On motion of Rev. Jacob Doll the report was accepted and referred to the Committee to consider the report of this Seminary.

An overture from the Fayetteville Presbytery for the formation of a new Presbytery from its present territory, to be known as Wilmington Presbytery, was submitted by Rev. J. B. McPherson, Stated Clerk of that Presbytery, and referred to the Committee on Bills and Overtures.

Absentees from roll call at the close of the last annual session of the Synod were announced and excuses heard.

Reports from the several Presbyteries on Systematic Benevolence were called for and submitted.

On motion, they were severally received and ordered to be printed in the appendix to the minutes.

The report of the committee appointed to prepare a sketch of the life and labors of the late Rev. Robert Tate was called for, but the committee reported that they were unprepared.

A biographical sketch of the life and labors of the late Rev. Jas. Phillips, D. D., was submitted by the chairman of the committee appointed for that purpose. On motion, the report of the committee was accepted and ordered to be spread upon the minutes.

The report of the committee to prepare a memoir of the late Rev. A. Wilson, D. D., was called for, but deferred from want of publication.

Similar sketches regarding the late Revs. Stephen Frontess and W. S. Pharr were read and submitted, and ordered to be filed with the papers of the Synod.

Rev. J. R. Rumble here announced the death of Revs. Jno. D. Wilson and W. B. Watts, Ministers in Concord Presbytery, which occurred during the past year. A brief sketch of lives of each was ordered to be prepared and a committee appointed for that purpose.

The death of Rev. Daniel Johnston, of Fayetteville Presbytery, was also announced and a committee appointed to report on his life and labors.

The report of the Trustees of the Synod was then submitted and referred to the proper committee.

On motion, an address on Education by Rev. Dr. Hamner was made the special order of the day for the afternoon session.

On motion the address on Education, by Rev. E. T. Baird, of Richmond, Va., was made the order for to-morrow, 11 o'clock. Following this will be an address on Sustenance and Foreign Missions, by Rev. J. L. Wilson, D. D.

On motion of Rev. Mr. Davis, the Synod took a recess until 3 o'clock, P. M.

But little business was transacted during the afternoon session of the Synod.

Rev. Neil McKay, the Synodical Agent, submitted his report on Education with accompanying resolutions.

his office of Treasurer of the Synod, was tendered by letter and accepted. A resolution of thanks for his faithful services was adopted.

Elder Jesse H. Lindsay was chosen Treasurer of the Synod.

The report of the committee on Bills and Overtures, on the overture from Fayetteville Presbytery, praying for its division, was accepted and adopted.

The committee on the report of the Trustees of the Synod made their report which was accepted and adopted.

Morganton was chosen as the place of the next meeting of the Synod, and Wednesday before the first Sabbath of October, 7 o'clock P. M., 1869, the time.

The committee on the records of Orange Presbytery reported that they have examined and recommended that they be approved as far as written—to page 475. Their report was accepted and approved.

The Synodical Agent of Publication read his report, which was accepted and referred to a Committee consisting of the several Presbyterial Agents, viz: Rev. Messrs. Fairley, Harding and Smith.

Rev. E. Thompson Baird, D. D., of Richmond, Va., then addressed the Synod, by invitation, on the subject of Publication, which consumed the remainder of the morning. Recess until 3 P. M.

AFTERNOON SESSION.

The Synod met according to adjournment.

The committee to whom was referred the report of the Synodical Agent of Publication and Colportage made their report, which was accepted, and after being amended, was adopted.

The report of Fayetteville Presbytery, on Systematic Benevolence, was received and ordered to be spread on the minutes.

The report of the Synodical Agent on Sustenance was read and received, and the Agent was requested to prepare an abstract for publication in the appendix to the minutes.

The Synod was then addressed by Rev. J. L. Wilson, D. D., on the subject of Sustenance.

A committee of three was appointed to prepare a plan of systematic collections, and report the same to the Synod as soon as possible.

The Synod then took a recess until 7 o'clock P. M.

[THIRD DAY'S PROCEEDINGS.]

FRIDAY, NOV. 20.

NIGHT SESSION.

After public worship the Synod met and took up the third order of the day, viz: to hear the report of the Synodical Agent of Foreign Missions. This was read, received and ordered to be spread in the appendix to the minutes, and the resolutions appended were adopted.

Rev. J. L. Wilson made an interesting address on the subject of Foreign Missions.

The Synod adjourned, with prayer, until 9 o'clock A. M., Saturday.

[FOURTH DAY'S PROCEEDINGS.]

SATURDAY, NOV. 21.

The Synod met and was opened with prayer; the roll was called, and the minutes were read and approved.

It was resolved that the Synod will hereafter call upon Ruling Elders, in the same manner as upon Ministers, for their excuses.

The report of the Judicial committee was read and accepted, and the committee discharged.

The committee on the records of Concord Presbytery presented their report, which was accepted and adopted.

The committee on the Minutes of the General Assembly submitted their report, which was read, accepted and adopted; and it was ordered that the report should be read before the congregations by all the ministers.

The committee appointed to prepare a plan of systematic collections made their report, which was read and accepted. After some earnest discussion, it was referred to a committee of seven to prepare a new report and present it at the next meeting of the Synod.

The committee to prepare an address to the Churches read its report, which was accepted and ordered to be printed in the appendix to the minutes, and in the North Carolina Presbyterian.

The unfinished business was then taken up, viz, the consideration of the resolution contained in the report of the Synodical Agent on Education.

Rev. G. W. McPhail, D. D., President of Davidson College, addressed the Synod in a stirring appeal in behalf of our Theological Students.

After much discussion, recess was taken until 3 P. M.

AFTERNOON SESSION.

After recess the Synod met.

of the Agent of Sustenance were taken up and the first and second adopted.

On motion, resolution 5, page 12, of the minutes of 1867, was rescinded.

On motion, the resolution fixing the time of meeting of the Synod was reconsidered, and the time fixed for the second Wednesday of October, 1869, at 7 o'clock, P. M.

The committee on the memorial of the late Rev. Robert Tate was continued.

A resolution in regard to furnishing the rooms of Davidson College was adopted.

The committee on Devotional Exercises made a report and was discharged.

It was then resolved that Rev. G. W. McPhail, D. D., and others be heard upon the interests of Davidson College after public service to-night.

Leave of absence was granted to four members.

The Synod then took a recess until after public worship.

The night session was occupied principally by the addresses of Rev. G. W. McPhail, D. D., and others in the interest of Davidson College.

After taking some action in this behalf, the Synod of 1868 adjourned sine die.

LEGISLATURE OF NORTH CAROLINA.

SENATE.

WEDNESDAY, NOV. 18, 1868.

UNFINISHED BUSINESS.

The motion of Mr. Reaspass to allow Mr. Avery, Senator elect from the first district, to qualify and take his seat, was considered.

Mr. Barrow desired information in reference to Mr. Avery's eligibility.

Mr. Long, from the committee, stated that Mr. Avery had been before the committee, and they had learned from him that he had held the office of County Solicitor before and during the war, but had not taken any oath to support the Constitution of the United States, that he could recollect.

Mr. Barrow said that it was clear to him that any person having held the office of Solicitor was compelled by law to take an oath to support the Constitution of the United States. The Senator does not remember whether he took the oath or not—but the presumption is that he did not take the oath, as the law required. There was no doubt in his mind that the office of Solicitor was a judicial office, and it was also the opinion of three of the Supreme Court Judges. He had heard, with much surprise, that Judge Brooks had decided to the contrary, and had even gone so far as to decide that a magistrate was not a judicial officer. It was clear to his mind that the Senator was ineligible, and therefore he should vote against the motion.

Mr. McLaughlin said it was equally clear to his mind that the office of County Solicitor was not a judicial or executive office of the State, but simply ministerial; and the question whether Mr. Avery did or did not take an oath was a matter of no moment. Senators are compelled to construe the laws as they understand them, and he did not see much reliance should be placed on flying rumors as to the opinion of Supreme Court Judges. When the Supreme Court makes a decision it was time enough to bring that matter up as evidence. If the Senator had been elected by negroes, instead of a white constituency, he would have been admitted at once.

The Chair called him to order, on the ground that he was casting reflections upon the motives of Senators.

Mr. McLaughlin took his seat, remarking that if he could not speak what he thought, he would say nothing.

Mr. Graham said it was a simple question and could be disposed of at once. The decision of Judge Brooks was that a Magistrate was not a judicial officer of the State; then, can a County Solicitor, who is elected by the Magistrates of the county, be a judicial officer of the State? Certainly not. Neither is a member of the Legislature. He thought this proceeding might be considered as a precedent, and that it was a part of the punishment of a certain class of men, who took part in the rebellion, and in all criminal or capital cases the accused is certainly entitled to a hearing.

He held that the office of Solicitor is not a judicial nor executive office, but simply ministerial. The Howard Amendment was intended to reach the high officers of the government, such as Governor, Judges, &c., and not County officers.

Mr. Robbins said that he had always found the Senate disposed to act fairly in matters of this kind, and thought they would be equally fair in this case. He thought one point which ought to be settled, and that was: Did he take an oath to support the Constitution of the United States? If he did not, he is eligible.—There is a case here in this Senate similar to a Senator who had held the office of Solicitor, but said he did not take the oath, and he was admitted. If he decided that it is a judicial office, must prove that he took the oath. He is willing to swear that he did not, and if you do not admit him, you impeach his veracity and insult his constituents.

Mr. Lindsay said that he was not one of those who look upon Congress as an illegal and unconstitutional body, but, on the contrary, believed it to be a legal and constitutional body; but he did not look upon Congress as the Constitution of the United States. It was clear, from the Howard amendment, that it is taking the oath which bans, and not simply holding the office.

Mr. Avery, he had understood, was elected to the office of Solicitor only two weeks before the State seceded, and it is not to be supposed that a Secession county would compel him to take an oath to support the Constitution of the United States; and if he did not take the oath, he would be ineligible and should be admitted to his seat.

Mr. Jones, of Wake, moved that the whole matter be referred back to the Committee, with the power to send for persons and administer oaths.

Upon this motion, the yeas and nays were called, and it was lost by a vote of yeas 14, nays 22.

The question recurring on Mr. Reaspass' motion, it was lost by the following vote, viz:

Those who voted in the affirmative were: Messrs. Barnes, Graham, Lindsay, Long, Love, McInerney, McLaughlin, Purdie, Reaspass, Robbins, Wadsworth and Wilson—12.

Those who voted in the negative were: Messrs. Barrow, Bellamy, Burns, Blythe, Colgrove, Cook, Davis, Eaves, Etheridge, Eppes, colored, Furkner, Hyman, colored, Laster, colored, Moore, of Carteret, Rich, Shoffner, Smith, Stearns, Weiker, White and Wynee—22.

On motion of Mr. Robbins the action in reference to Mr. Oates was postponed until the 10th of December, as there was a probability of his disabilities being removed.

Mr. Rich moved a reconsideration of the vote in reference to Mr. Avery, in order to postpone any further action until the 10th of December, so as to allow him an opportunity to get his alleged disabilities removed.

The motion to reconsider was withdrawn.

On motion of Mr. Robbins the bills on the calendar from last session were indefinitely postponed.

On motion of Mr. Welker the Senate adjourned until to-morrow, 11 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, NOV. 18, 1868.

Mr. French moved that a committee on Counties and Townships be raised, consisting of one from each Judicial District.—Carried.

By the same: A resolution to instruct the committee on Privileges and Elections to inquire if there be any members of the House laboring under disabilities imposed by the 14th Article. Carried.

The Chair announced that as there were many new members he would, if there was no objection, revise the Standing Committee.

Mr. French moved that the Speaker be authorized to make such changes in the committees as he may deem necessary.

Mr. Laffin raised a point of order, that when the Chairman was elected to his office he appointed the committees, and of course, during the term of his office, his appointments